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FOOD, CIVIL SUPPLIES AND LABOUR SECRETARIAT.

ORDER

Bangalore, dated 13th December 1967.

S.O. 2348.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with G.S.R. No. 1111, dated the 24th July, 1967 issued by the Government of India, Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), the Government of Mysore hereby makes the following order, namely :—

1. *Title, extent and commencement.*—(1) This Order may be called the Mysore Babyfood (Maintenance of Accounts, Display of Prices and Stocks) (Second) Order, 1967.

(2) It extends to the areas specified in the Schedule I to this Order.

(3) It shall come into force on the 16th December 1967.

2. *Definitions.*—In this order, unless the context otherwise requires,—

(*a*) "babyfood" means the brands of babyfoods specified in Schedule II to this Order;

(*b*) "dealer" means a person carrying on the business of purchase or sale of babyfood, whether wholesale or retail and whether or not in conjunction with any other business and includes manufacturers and commission agents engaged in any such business;

(*c*) "retail dealer" means a dealer who sells babyfoods to a person other than a dealer;

(*d*) "wholesale dealer" means a dealer who is not a retail dealer;

(*e*) "Enforcement Officer" means any person appointed by order by the Director of Food and Civil Supplies in Mysore, Bangalore, as Enforcement Officer in respect of such area as may be specified in such order, and where no such person has been appointed in any area, the First/Second Grade Inspector and/or the Assistant Inspector of Food and Civil Supplies Department (Civil Supplies) having jurisdiction in the area.

3. *Limit of possession by persons other than dealers.*—(a) No person other than a dealer shall keep in his possession at any time more than five kilograms of babyfood;

(b) No person other than a dealer shall purchase, at any time, more than one kilogram or one packet (if it contains more than one kilogram) of babyfood.

4. *Dealer not to withold stocks from sale.*—No retail dealer shall withhold from sale or refuse to sell babyfood ordinarily kept for sale.

5. *Dealer to issue receipt, invoice or cash memo.*—Every dealer shall issue to every purchaser a correct receipt, invoice or cash memo as the case may be, showing his own name and address, the date of transaction, the quantity and commodity sold, the price per unit of sale and the total

amount charged and shall keep a duplicate of the same to be available for inspection :

Provided that in respect of the babyfoods declared scarce by the Director of Food and Civil Supplies in Mysore, Bangalore, the dealer shall, in addition to the above details given on the receipt, invoice or cash memo mention the name and address of the buyer and also obtain the signature of the buyer on it ;

Provided further that for sales involving less than Rupees Five, receipt, invoice or cash memo need not be issued.

6. *Display of stocks and prices.*—(*a*) Every dealer shall exhibit at the entrance or some other conspicuous part of his place of business a statement indicating the stocks of the babyfood in his possession available for sale at the commencement of each working day ;

(*b*) Every dealer shall also display at the entrance or in some other prominent place of his business premises on a board specially maintained for this purpose the price at which each brand of babyfood is offered for sale ;

(*c*) The statement of stock and the statement of prices exhibited and displayed under sub-clauses (*a*) and (*b*) shall specify the name of the babyfood in English or Kannada or in any other language understood by the majority of the customers of the dealer in the area concerned and the price in the international form of Indian numerals ;

(*d*) Subject to the provision in sub-clause (*c*) a dealer may maintain and display the statement of stocks and the price list in more than one language or in any language as he may desire.

7. *Maintenance of Accounts.*—(1) Every dealer shall maintain a register of daily account of his stocks of babyfood showing correctly.—

(*a*) the opening stock on each day ;

(*b*) the quantities received during the day, showing the place from where and the source from which the same are received ;

(*c*) the quantities delivered or otherwise removed during the day showing the places of destination ; and

(*d*) the closing stock at the end of the day.

(2) Every dealer shall complete his accounts for each day before the commencement of business on the next working day, unless prevented by reasonable cause, the burden of proving which shall be upon him.

(3) The accounts to be maintained as per sub-clause (1) shall be in the form approved by the Director of Food and Civil Supplies in Mysore, Bangalore.

8. *Dealer to give facilities for inspection.*—Every dealer shall give all facilities at all reasonable times to the Enforcement Officer for inspection of his stocks and accounts at any shop, godown or other places used by him for the storage, sale or purchase of babyfood.

9. *Power of entry, search and seizure.*—(1) The Enforcement Officer may with a view to securing compliance with this Order or to satisfying himself that the provisions of this order have not been contravened—

(*a*) enter into, or search any premises vehicles, vessels or other conveyances in which he has reason to believe that a contravention of this order has been, is being, or is about to be committed ;

(*b*) seize the stocks of babyfood along with the packages, coverings or receptacles in which such babyfood is found and the animals, vehicles, vessels or other conveyances used in carrying such babyfood in respect of which the Officer has reason to believe that a contravention of this Order has been, is being, or is about to be committed.

(2) The provisions of Sections 102 and 103 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

SCHEDULE I.

[*See* Sub-Clause (2) of Clause I.]

1. *Bangalore District.*—

(1) Corporation of the City of Bangalore and an area within a radius of 2 miles from the Municipal Limits of the City.

Town Municipalities of.—

(2) Hoskote,
(3) Devanahalli,
(4) Doddaballapura,
(5) Nelamangala,
(6) Magadi,
(7) Channapatna,
(8) Ramanagaram,
(9) Kanakapura,
(10) Anekal.

2. *Belgaum District.*—

(1) Belgaum City Municipality and Belgaum Cantonment.
(2) Nipani Town Municipality.
(3) Athani Town Municipality.
(4) Gokak Town Municipality.
(5) Saundatti Yellamma Town Municipality.
(6) Bailhongal Town Municipality.

3. *Bellary District.*—

(1) Bellary City Municipality.
(2) Hospet City Municipality.

4. *Bidar District.*—

(1) Bidar Town Municipality.

Bijapur District.—

(1) Bijapur City Municipality.
(2) Bagalkot Town Municipality.
(3) Jamkhandi Town Municipality.
(4) Rabkavi Banahatti Town Municipality

6. *Chickmagalur District.*—

(1) Chickmagalur Town Municipality.
(2) Kadur Town Municipality.
(3) Tarikere Town Municipality.
(4) Koppa Town Municipality.
(5) Narasimharajapur Town Municipality.
(6) Sringeri Town Municipality.

7. *Chitreduga District.*—

(1) Chitradurga Town Municipality.
(2) Chalakere Town Municipality.
(3) Molkalmuru Town Municipality.
(4) Harihar Town Municipality.
(5) Hiriyur Town Municipality.
(6) Davangere City Munciipality.

8. *Coorg District.*—

(1) Town Municipalities in Coorg District.

9. *Dharwar District.*—

(1) Hubli—Dharwar Municipal Corporation.
(2) Gadag—Betgeri City Municipality.
(3) Haveri Town Municipality.
(4) Ranebennur Town Municipality.
(5) Navalgund Town Municipality.
(6) Nargund Town Municipality.
(7) Byadgi Town Municipality.
(8) Kalghatgi Bendigeri village.
(9) Hanagal village.
(10) Ron village.
(11) Mundargi village.
(12) Hirekerur village.
(13) Shiggaon village.
(14) Annigeri village.
(15) Gajendragad village.
(16) Revenue village of Bankapur.
(17) Karajgi Chickmagalur village.

10. *Gulbarga District.*—

(1) Gulbarga City Municipality.
(2) Alland Town Municipality.
(3) Shorapur Town Municipality.
(4) Sedum Town Municipality.
(5) Yadgir Town Municipality.

11. *Hassan Distriot.*—

(1) Hassan Town Municipality.
(2) Arkalgud Town Municipality.
(3) Belur Town Municipality.
(4) Channarayapatna Town Municipality.
(5) Holenarsipur Town Municipality.
(6) Arsikere Town Municipality.
(7) Sakaleshpura Town Municipality.

12. *Kolar District.*—

(1) Kolar Town Municipality.
(2) Bangarpet Town Municipality.
(3) Chintamani Town Municipality.
(4) Chikballapur Town Municipality.
(5) Gauribidnur Town Municipality.
(6) Srinivasapur Town Municipality.
(7) Kolar Gold Fields Sanitary Board Area.

13. *Mandya District.*—

(1) Mandya Town Municipality.
(2) Maddur Town Municipality.
(3) Malavalli Town Municipality.
(4) Srirangapatna Town Municipality.
(5) Nagamangala Town Municipality.
(6) Krsihnarajpet Town Municipality.
(7) Pandavapura Town Municipality.

14. *Mysore District.*—

(1) Mysore City Municipality.
(2) Chamarajanagar Town Municipality.
(3) Hunsur Town Municipality.
(4) Nanjangud Town Municipality.
(5) Kollegal Panchayat Area.

15. *North Kanara District.*—

(1) Karwar Town Municipality.
(2) Kumta Town Municipality.
(3) Bhatkal Town Municipality.
(4) Sirsi Town Municipality.
(5) Haliyal Town Municipality.
(6) Gokaran Town Panchayat Area.
(7) Ankola Town Panchayat Area.
(8) Siddapur Town Panchayat Area.

16. *Raichur District.*—

(1) Raichur City Municipality.

17. *Shimoga District.*—

(1) Shimoga City Municipality.
(2) Thirthahalli Town Municipality.
(3) Channagiri Town Municipality.
(4) Honnali Town Municipality.
(5) Shikaripur Town Municipality.
(6) Sagar Town Municipality.
(7) Bhadravathi Town Municipality and New Board Area including New Town and Paper Town.

18. *South Kanara District.*—

(1) Every area within the limits of non-municipal areas of Mulki and Bantwal.
(2) Mangalore City Municipality.
(3) Udipi Town Municipality.
(4) Coondapur Panchayat Area.
(5) Karakal Panchayat Area.
(6) Puttur Panchayat Area.
(7) Mudabidre.

19. *Tumkur District.*—

(1) Tumkur Town Municipality.
(2) Tiptur Town Municipality.
(3) Madhugiri Town Municipality.
(4) Koratagere Town Municipality.
(5) Gubbi Town Municipality.
(6) Kunigal Town Municipality.
(7) Turuvekere Town Municipality.

SCHEDULE II

[*See* sub-clause (*a*) of Calusc 2.]

1. Horlicks.
2. Glaxo.
3. Amul Babyfood.
4. Cow and Gate.
5. Ostermilk.
6. Dumex.
7. Lactogen.
8. Lactodex.
9. Gruco Babyfood.
10. Farex.
11. Lever's Babyfood.
12. Milkose Babyfood.

By Order and in the name of the Governor of Mysore,

S. SANTHI,

Deputy Secretary to Government,
Food, Civil Supplies and Labour Department.

[No. FSD 114 BCS 67.]

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